

REMARKS

Claims 1-7 and 9 stand rejected in this application under 35 U.S.C. 102 as being unpatentable over Uchiyama (US 2003/0078071).

The claimed mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is physically connected (tethered mode) to the mobile communication device through the connection interface, and also when the mobile alerter is physically detached (un-tethered mode) from the mobile communication device.

At pages 2-3 of the office action, the Examiner states that the claimed invention is anticipated by Uchiyama. The Examiner indicates that, in Uchiyama, the "wireless telephone interface output state indicates that the wireless telephone is present" or the "wireless telephone interface output state indicates that the wireless telephone is not present", and depending on the indication provided by that output state, the controller can control a switch between ports on the docking station accordingly. It follows that the "wireless telephone interface output state" merely indicates whether or not a mobile device is docked in the docking station. This output is not based on any signals received by the docking station from the disconnected wireless telephone.

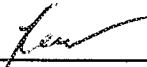
It is possible that the Examiner is concerned that the phrase "said mobile alerter outputs notification alerts for said mobile communication device when said mobile alerter is in an un-tethered mode" of claim 1 (prior to amendment), may be construed to read "said mobile alerter outputs a notification alert to indicate when said mobile alerter is in an un-tethered mode". However, there is no suggestion in the Applicant's claims or specification that a notification alert is one that is used to indicate whether the alerter is tethered to a mobile device or not, and therefore, a person skilled in the art would not read in the additional limitation "to indicate" into the claims. This construction would also ignore the fact that notification alerts output by the alerter are for the mobile communication device (i.e. when the mobile communication device needs to alert a user of the mobile device of some event, it does so through its alerter).

To alleviate potential ambiguity in this regard, the Applicant has amended claims 1 and 7 by repositioning the phrases "when said mobile alerter is a tethered mode" and "when said mobile alerter is an un-tethered mode" within the claims, and clarifying that the notification alerts are triggered in response to a notification message received from the mobile device through the connection interface (tethered mode) or through the wireless receiver (un-tethered mode), as described at paragraphs [0032] and [0033] of the specification. A number of terms in claim 7 have also been amended for consistency and clarity. No new matter is being added.

As noted earlier, the "wireless telephone interface output state" in Uchiyama merely indicates whether or not a mobile device is docked in the docking station. In particular, it does not provide its alert triggered by any signal or message received from the wireless telephone through a wireless receiver when the wireless telephone is not docked. Instead, Uchiyama clearly teaches that when the wireless telephone is not connected to the docking station, the docking station relies only on land-line signals from the land-line interface (see Uchiyama, paragraph [0044]).

In view of the foregoing clarifications, Applicants respectfully submit that each of claims 1-7 and 9 are in form for allowance, and a notice to that effect is respectfully requested.

Respectfully submitted,
Bereskin & Parr
Agents for the Applicants

By  _____
Kendrick Lo
Reg. No. 54,948
(416) 364-7311